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SENATE

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NOMINATION OF JOSEPH ZAPPALA

AUGUST 1 (legislative day, JANUARY 3), 1989.—Ordered to be printed

Mr. PELL, from the Committee on Foreign Relations, submitted the following

REPORT

together with

ADDITIONAL VIEWS

The Committee on Foreign Relations, to which was referred the nomination of Joseph Zappala to be Ambassador to Spain, having considered the same, reports favorably thereon and recommends that the nomination be confirmed.

BACKGROUND

The nomination of Joseph Zappala to be Ambassador to Spain was submitted by President Bush to the Senate on May 2, 1989. On the same day, the nomination was referred to the Committee on Foreign Relations.

Joseph Zappala is one of Florida's leading businessmen, with an extensive record of community service in areas ranging from adolescent drug abuse and mental retardation to the organization of political life.

Mr. Zappala is the chairman and chief executive officer of Joseph Zappala and Associates, an investment and land development company based in St. Petersburg, FL. This company has been responsible for the construction of millions of square feet of quality and award-winning projects throughout Florida, with values totaling hundreds of millions of dollars. Through this company, Mr. Zappala developed the first condominiums in Florida, and has been referred to as the "Grandfather of Condominiums." Indeed, he has been responsible for the construction and sale of thousands of single-family residential units and of numerous office and industrial buildings. In the course of his work and his philanthropic activities abroad, he has visited more than 40 countries.

S384-8.

In addition to his land development and investment business, Mr. Zappala is the chairman of Home Town Investors Inc., which operates a large health care facility in St. Petersburg, FL. Mr. Zappala is the owner and chairman of Tucson Greyhound Park in Tucson, AZ. He also sits on the board of directors of First Union National Bank, and was previously chairman of the Board of the First National Bank of Seminole in Pinellas, County, FL, a bank which he founded.

Mr. Zappala's philanthropic activities have been numerous. Mr. Zappala serves as president of STRAIGHT, Inc., a drug treatment and rehabilitation program for adolescents with offices from California to Florida. Privately funded, STRAIGHT is the largest drug treatment program for adolescents in the country. More than 10,000 young people have passed through this program, with a total impact upon families of a much higher multiple. In some cases, a patient takes as long as a year in the program. Mr. Zappala also serves on the board of the College of Veterinary Medicine at the University of Florida in Gainesville, FL and on the board of the Police Athletic League. He is the past chairman of the Pinellas Association for Retarded Children (PARC), an organization which tripled in size under his direction. He is also one of the founders of his local community's opera company.

Mr. Zappala's civic action has also extended to the promotion of political activity among citizens, both through political organization and through fundraising. These activities deserve special notice. He has had a long personal relationship with George Bush. He was active both nationally and statewide on behalf of the George Bush for President Campaign, dating as far back as 1979. In that year, Mr. Zappala was the finance cochairman in the Pinellas County, FL of the first George Bush for President Campaign. He cochaired the first Florida fundraiser for the Bush campaign in this year as well. Mr. Zappala was also among the State finance chairmen who met in Chicago with the candidate and then campaign manager, Jim Baker, to assist in establishing one of Mr. Bush's first national fundraising efforts. Mr. Zappala also assisted with fundraising for the Fund for America's Future, a multicandidate political action committee established by Mr. Bush in 1985.

After the commencement of the 1988 George Bush for President Campaign, Mr. Zappala served prominently on the National Steering Committee and National Finance Committee as cochairman of the Republican National Committee's Team 100. He currently serves as the national cochairman of finance for the American Bicentennial Presidential Inaugural and as chairman of the Florida Victory Committee.

Mr. Zappala's fundraising talents have also been used on behalf of many religious and charitable organizations throughout the United States. He has received numerous awards, including a prestigious Florida State award for hiring handicapped workers. Mr. Zappala was awarded the Ben Gurion Award, the prestigious Tree of Life Award, and the Gates of Jerusalem Award in 1983 for his internationally recognized commitment to the State of Israel. The Tree of Life Award was personally presented to him by Mrs. Anwar Sadat. This year a park is being named in his honor on the Peace Road between Egypt and Israel.

Mr. Zappala, 55, attended the New York Institute of Finance. He is a native of New York and came to Florida as a young man to begin a career in real state. He and his wife Carole have four daughters, Kimberly, Valerie, Joanne, and Andrea.

Committee Action

The committee held a hearing on the Zappala nomination on June 8, 1989. The committee considered the nomination on June 20, 1989, but at the request of Senator Sarbanes, action was not concluded. The committee considered the nomination again on July 25, 1989, and ordered the nomination reported favorably by a vote of 10 to 9. Voting in the affirmative were Senators Helms, Lugar, Kassebaum, Boschwitz, Pressler, Murkowski, McConnell, Humphrey, Mack and Robb. Voting in the negative were Senators Biden, Sarbanes, Cranston, Dodd, Kerry, Simon, Sanford, Moynihan and Pell.

1980 Foreign Service Act

During consideration of the nomination, Senator Sarbanes and others raised a number of questions relating to the propriety of the President in appointing as Ambassador a personal friend who had been involved politically in supporting his nomination. Opponents quoted Section 304 of the Foreign Service Act of 1980 as follows:

> Sec. 304. Appointment of Chiefs of Mission.—(a)(1) An individual appointed or assigned to be a chief of mission should possess clearly demonstrated competence to perform the duties of a chief of mission, including, to the maximum extent practicable, a useful knowledge of the principal language or dialect of the country in which the individual is to serve, and knowledge and understanding of the history, the culture, the economic and political institutions and the interest of that country and its people.
>
> (2) Given the qualifications specified in paragraph (1), positions as chief of mission should normally be accorded to career members of the Service, though circumstances will warrant appointments from time to time of qualified individuals who are not career members of the Service.
>
> (3) Contributions to political campaigns should not be a factor in the appointment of an individual as a chief of mission.

Opponents suggested that President Bush was abusing the nomination process by appointing nominees who were qualified only by the donation of large political contributions, instead of maximizing the number of nominees drawn from the Foreign Service.

The Committee rejects that argument.

In the first place, the language of section 304 is only hortatory, and not mandatory. In each clause the operative verb is "should." In other words, section 304 hardly does more than express the sense of Congress, and certainly cannot be construed as a direct command or prohibition.

Second, no statute can limit a Presidential power specified in the Constitution. Article II, Section 2 states:

> He [the President] shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls. * * * and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

Clearly, Ambassadors, public ministers, and consuls are offices created by the Constitution, while other appointments not mentioned are only creatures of law. Thus the law can define and prescribe such lesser offices as Secretary of State and appointments in the ranks of the Foreign Service, but it cannot circumscribe the qualifications of Ambassadors. An ambassadorial appointment is a *Constitutional* office, and is therefore legally superior to offices created by law, such as the ones just noted. No law can mandate the qualifications of Ambassadors, nor require them to be appointed from a specified class of citizens.

Section 304, therefore, is a standard which does not bind the President, and has only as much authority as any other personal standard which a Senator may consider, implicitly or explicitly, in exercising his or her obligation of advice and consent under the Constitution.

QUALIFICATIONS

Nevertheless, the committee believes that Mr. Zappala meets any reasonable interpretation of the hortatory standards of section 304. Mr. Zappala's extensive career as a businessman, financier, philanthropist, and political organizer has given him excellent skills as a negotiator, advocate, manager, and coalition builder—in other words, he has a demonstrated record in the four key areas which must be mastered by any diplomat. In his numerous enterprises, he has been responsible for the well-being and payrolls of over 1,000 employees, and has won awards for his employee practices. Since a large Embassy staff, such as the one in Spain, typically includes more than 100 employees from several agencies, the committee believes that he will be well-prepared for the management problems he will face.

It was also alleged against Mr. Zappala that he was deficient in language skills since he did not know Spanish. This issue has been a matter of concern to the committee for many years. Indeed, in hearings held last fall before this committee, an offical State Department study was cited which showed that, in the period 1983 to 1985, 21 percent of Foreign Services officers were promoted into the Senior Foreign Service "despite the fact that they were not qualified at level 3 in any language." Then Under Secretary of State for Management, Mr. Ronald I. Spiers, stated that only three-quarters of Foreign Service Officers meet the full language competency requirements. Yet the Foreign Service Manual calls for officers entering the Senior Foreign Service to have a tested 3/3 level proficiency in *two* foreign languages. Moreover, as a practical matter, Mr. Spiers observed that an Ambassador could not function fully in a foreign language unless he or she were at the 4/4 level of proficiency, which few attain.

Mr. Zappala readily acknowledged his deficiency in Spanish, and has already been enrolled in Spanish language training courses. However, Mr. Zappala has been totally fluent in Italian all of his life. Since Spanish and Italian are related Romance languages, with similar grammatical and rhetorical structures, with the common bond of a broadly cognate vocabulary and transferable language skills, the committee sees no reason to believe that Mr. Zappala will not be reasonably proficient in Spanish by the time that he takes up residence in Madrid.

With regard to the requirement for an understanding of the problems of the history, the culture, the economic and political institutions of the country, it should be noted that Mr. Zappala will be going to Spain in a period during which relations with Spain have cooled under previous Ambassadors. Some observers have felt that previous Ambassadors have spent too much time supporting and building up relationships with left-of-center political forces in Spain to the detriment of building coalitions with political forces more oriented toward strong NATO participation and United States partnership. Under detailed questioning from Senator Sarbanes during the nomination hearing, Mr. Zappala demonstrated an ample knowledge of recent negotiations and the removal of United States forces formerly based in Spain.

Moreover, Spain has recently emerged as a key entry point for narcotics from Colombia entering Europe. Mr. Zappala's intensive work with drug-rehabilitation programs should make him especially sensitive to working with Spain on this problem.

Career vs. Noncareer Appointments

During the course of debate, Senator Sarbanes stated concerns that President Bush, in his view, was nominating a disproportionate number of persons who were not members of the career Foreign Service. Specifically, Senator Sarbanes stated that the President had nominated only 14 career members of the Foreign Service to be Ambassadors, as opposed to 30 noncareer nominees. He stated that this was a proportion of 32 percent career, vs. 68 percent noncareer—a virtual reversal of past practice. However, it was subsequently pointed out that President Bush had made a decision to allow *sitting career Ambassadors* to finish out their 3-year terms, while recalling immediately most *sitting noncareer Ambassadors.* Under this count, President Bush presently has 92 career Ambassadors in place or proposed, and a total of 49 noncareer Ambassadors in place or proposed. Thus, the ratio is in actuality 65 percent career, vs. 35 percent noncareer. These statistics are summarized in figure 1, based upon a chart which first appeared in the Washington Post.

FIGURE 1

A4 Wednesday, July 26, 1989 THE WASHINGTON POST

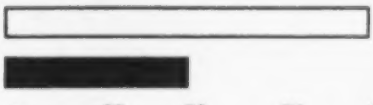
AMBASSADORIAL APPOINTMENTS AND THE NUMBERS GAME

THE SARBANES COUNT
44 Nominations Total

14 Career (32%)
30 Political (68%)

THE ADMINISTRATION COUNT
141 Ambassadors Total

92 Career (65%)
49 Political (35%)



Note: The numbers used by Sen. Paul S. Sarbanes (D-Md) are for ambassadorial nominations referred to the Senate Foreign Relations Committee as of July 20. The numbers used by the administration are for current, nominated and selected ambassadors as of June 15.

BY Michael Drew - Washington Post

It should be stated that statistics on career vs. noncareer Ambassadors vary according to the month. The exact percentages change as Ambassadors are nominated, confirmed, resign, or are recalled. The variations from month to month or administration to administration are not significant. Statistics supplied by the Department of State show that the current ratio in the Bush administration, for example, compares favorably to ratios in the Kennedy administration. There is nothing to suggest that, when the current sitting career Ambassadors are replaced at the end of their respective terms, the ratios will be any different from historic practice. An annual "snapshot" of such ratios for each year back to 1961 appears in figure 2.

FIGURE 2—HISTORICAL COMPARISON—AMBASSADORS SERVING AT BILATERAL MISSIONS

Year	Number and percentage	
	Career	Non-career
1961 Kennedy	67 or 72	26 or 28
1962	63 or 64	35 or 36
1963 Kennedy/Johnson	66 or 65	36 or 35
1964 Johnson	74 or 73	27 or 27
1965 (November)	79 or 72	30 or 28
1966	80 or 75	26 or 25
1967	73 or 71	30 or 29
1968	71 or 66	36 or 34
1969 Nixon	68 or 68	32 or 32
1970	72 or 68	34 or 32
1971	73 or 68	34 or 32
1972	72 or 73	27 or 27
1973 (July)	72 or 71	29 or 29
1974 Nixon/Ford	80 or 69	36 or 31
1975 Ford	80 or 72	32 or 28
1976	82 or 70	35 or 30
1977 Carter (August)	86 or 78	24 or 22
1978	92 or 75	30 or 25
1979 (December)	91 or 75	30 or 25
1980	94 or 76	30 or 24
1981 Reagan (January)	90 or 78	26 or 22
1982	85 or 69	38 or 31
1983	86 or 67	42 or 33
1984 (May)	84 or 66	43 or 34
1985 (April)	85 or 70	37 or 30
1986 (August)	82 or 65	44 or 35
1987 (April)	85 or 65	45 or 35
1988 (Feburary)	86 or 64	48 or 36
Starting with 1989, Figures include multilateral ambassadors:		
1989 Bush (January)	87 or 62	54 or 38
1989 (June)	92 or 65	49 or 35

Yearly statistics were taken from October with the exception of those years with the month in parentheses.

Finally, a word should be added about the exhortation in section 304 which urges that ambassadorial appointments "should normally be accorded to career members of the Service." The committee notes that this recommendation merely articulates the practice of the past three decades as displayed in figure 2. Nevertheless, there is no contitutional requirement, and there can be no legal requirement, that the President must follow any particular ratio of appointments, or even that he must take any nominees whatsoever from the Foreign Service.

An ambiguity arises from the fact that an Ambassador chosen from the career services really holds two Presidential appointments simultaneously. He or she is primarily holding a constitutional appointment, under which the President has an absolute right to nominate any person he chooses; his or her appointment in the Foreign Service is not a constitutionally mandated appointment, but an appointment under law passed by Congress pursuant to congressional powers. Thus the rank of Ambassador, as noted above, is legally superior in force and dignity to even the highest rank of the Foreign Service itself. When the President chooses a Foreign Service Officer to be an Ambassador at the same time, he confers an additional honor on the nominee in addition to the honors which such a nominee already holds.

The Foreign Service is composed of able, dedicated men and women who have devoted their careers to the pursuit of public service and foreign policy. No country could be without the services of a distinguished and elite corps of skillful and experienced professionals. Every modern President has responded to this need by choosing the majority of Ambassadors from among the ranks of the Foreign Service.

Nevertheless, foreign policy is not a science, but an art. A specific President's foreign policy will be shaped not only by the events and opportunities which are offered, but also by the President's moral and philosophical analysis of the options available, and by the ability to rally public support. For that reason, all Presidents have also included within the ranks of their Ambassadors some of their key political advisers and supporters. Although other countries may rely almost entirely on a professional, technical corps of diplomats, no other country in the world has our practical systems of separation of powers and checks and balances. For this reason, U.S. Presidents always have, and always will, leaven their diplomacy by bringing in talented noncareer professionals.

Diplomacy cannot be the private preserve of a closed foreign policy establishment, whether governmental or nongovernmental. It is the very essence of democracy to be open to new ideas and new experiences. The roster of noncareer Ambassadors who have made outstanding contributions to our diplomacy is too long to tally. Moreover, the vast proportion of them never had diplomatic or foreign relations training. The committee believes that the United States makes an important statement when it sends such distinguished citizens of accomplishment abroad as Ambassadors.

Political Contributions

It was intimated during the debate that Mr. Zappala was appointed solely because of political contributions. In the committee's opinion, the qualifications of Mr. Zappala already enumerated speak for themselves, and make the question of political contributions irrelevant. Moreover, the public disclosure forms clearly indicate that Mr. Zappala made no personal political contributions whatsoever to the George Bush campaign in 1988.

However, Mr. Zappala has made substantial contributions to many other political campaigns as may be seen on the public disclosure forms. Indeed, the width and depth of such contribution, to

a wide variety of candidates, shows clearly Mr. Zappala's eager commitment to our democracy. The U.S. Supreme Court has said that political contributions are an expression of protected speech under the first amendment; Mr. Zappala has exercised that right vigorously and properly.

Moreover, Mr. Zappala has done more than support a wide variety of political campaigns. He has gone out and encouraged his fellow citizens to do so as well. He has organized committees, directed strategies to involve thousands of others in the political process, and provided invaluable advice to the candidates of his choice. The committee recognizes that few Senators would be Members of this body without the dedicated and distinguished assistance of supporters like Joseph Zappala. The committee does not believe that notable civic action should be a bar to public service as an Ambassador.

Finally, Mr. Zappala's political activity is a very important part of the story of our democratic system. Fellow democracies such as Spain will recognize the important part that such activities play in the preservation of freedom, and will appreciate the insights which his experience will give to their own political process. We honor our allies when we share with them persons whom we ourselves value so highly, and who are so important to the dialog of liberty. The committee recommends that his nomination be approved.

ADDITIONAL VIEWS BY SENATORS PAUL S. SARBANES, CLAIBORNE PELL, ALAN CRANSTON, CHRISTOPHER J. DODD, JOHN F. KERRY, PAUL SIMON, TERRY SANFORD, AND DANIEL PATRICK MOYNIHAN

Our deep concern over the effectiveness of U.S. diplomatic representation abroad leads us to oppose the nomination of Joseph Zappala to be United States Ambassador to Spain. We do not accept the proposition that the Senate should accede to the President's choice of Ambassadors without regard to the nominee's qualifications, and we do not find Mr. Zappala to be qualified for the important post to which he has been nominated.

CONSTITUTIONAL AND STATUTORY GUIDELINES FOR THE APPOINTMENT OF AMBASSADORS

The appointment power is a cogent example of our constitutional system as one of "separated institutions sharing powers," in the apt phrase of Prof. Richard Neustadt. Article II, Section 2 of the U.S. Constitution provides explicitly that the President is "to nominate and, by and with the advice and consent of the Senate, to appoint ambassadors * * *" In so specifying, the Founding Fathers both reinforced the fundamental system of institutionalized checks and balances and underscored the importance of America's representation abroad.

The reasons for requiring Senate advice and consent to Presidential nominations were spelled out by Alexander Hamilton in The Federalist Papers, No. 76, as follows:

> To what purpose then require the cooperation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from State prejudice, from family connection, from personal attachment, or from a view to popularity.

In granting or withholding its advice or consent, the Senate must also take account of the statutory criteria with respect to the appointment of Ambassadors. Section 304 of the Foreign Service Act of 1980 (Public Law 96–465) sets out the following standards for the appointment of Chiefs of Mission:

> An individual appointed or assigned to be a chief of mission should possess clearly demonstrated competence to perform the duties of a chief of mission, including, to the maximum extent practicable, a useful knowledge of the principal language or dialect of the country in which the individual is to serve, and knowledge and understanding of

the history, the culture, the economic and political institutions and the interests of that country and its people. [See Appendix 1.]

The act makes these criteria applicable to all nominees to ambassadorial positions whether career or noncareer, providing that nominations will "normally" be made from the career service while acknowledging that "circumstances will warrant appointments from time to time of qualified individuals who are not career members of the Service." The statute further stipulates that "Contributions to political campaigns should not be a factor in the appointment of an individual as a chief of mission."

RECENT PATTERN OF AMBASSADORIAL NOMINATIONS

Notwithstanding the underlying constitutional provisions and the statutory guidelines outlined above, we have seen this year a disturbing pattern of nominees from outside the career service who lack any evident qualifications for the serious ambassadorial responsibilities they propose to undertake. While the appointment of some noncareer Ambassadors is in itself neither unusual nor objectionable, and can serve important national interests, the standards for nomination set by the current administration represent a sharp decline from those of previous administrations.

Many of the noncareer Ambassadors who have been nominated in previous administrations, like some this year, brought to their assignments relevant education, professional associations or board memberships, language skills, experience in some aspect of international affairs, and commitment to public service. Apart from some unfortunate exceptions, many have demonstrated familiarity with foreign policy issues. These nominations appear to rest on valid reasons over and above political involvement and campaign contributions and money raising.

This year, however, the Senate has been asked to approve the nomination of an unusual number of ambassadorial nominees lacking serious qualifications. Close inspection of the résumés submitted to the Senate leads to the conclusion that in too many cases large donations to political campaigns or successful fundraising activity are the only reason for the nomination.

Indeed, in direct conflict with the provision of the Foreign Service Act quoted above that political contributions should not be a factor in ambassadorial appointments, in numerous cases this year the Senate is confronted with nominees who demonstrably have no qualifications other than large campaign donations. Furthermore, the practice has deteriorated to the point where, in some instances, the Presidential certification of demonstrated competence required to be provided with each nomination explicitly sets forth such political involvement.

Not only has the quality of noncareer appointments declined under the current administration, but the number of noncareer appointments has increased dramatically. At the end of July, 31 out of the 46 country Ambassadors officially submitted by the President have been political appointees, 7 of them from Team 100 (party contributors of $100,000 or more in the 1988 campaign). As the table and chart below indicate, this 67 percent of political

nominations far exceeds such appointments at a comparable point in previous administrations.

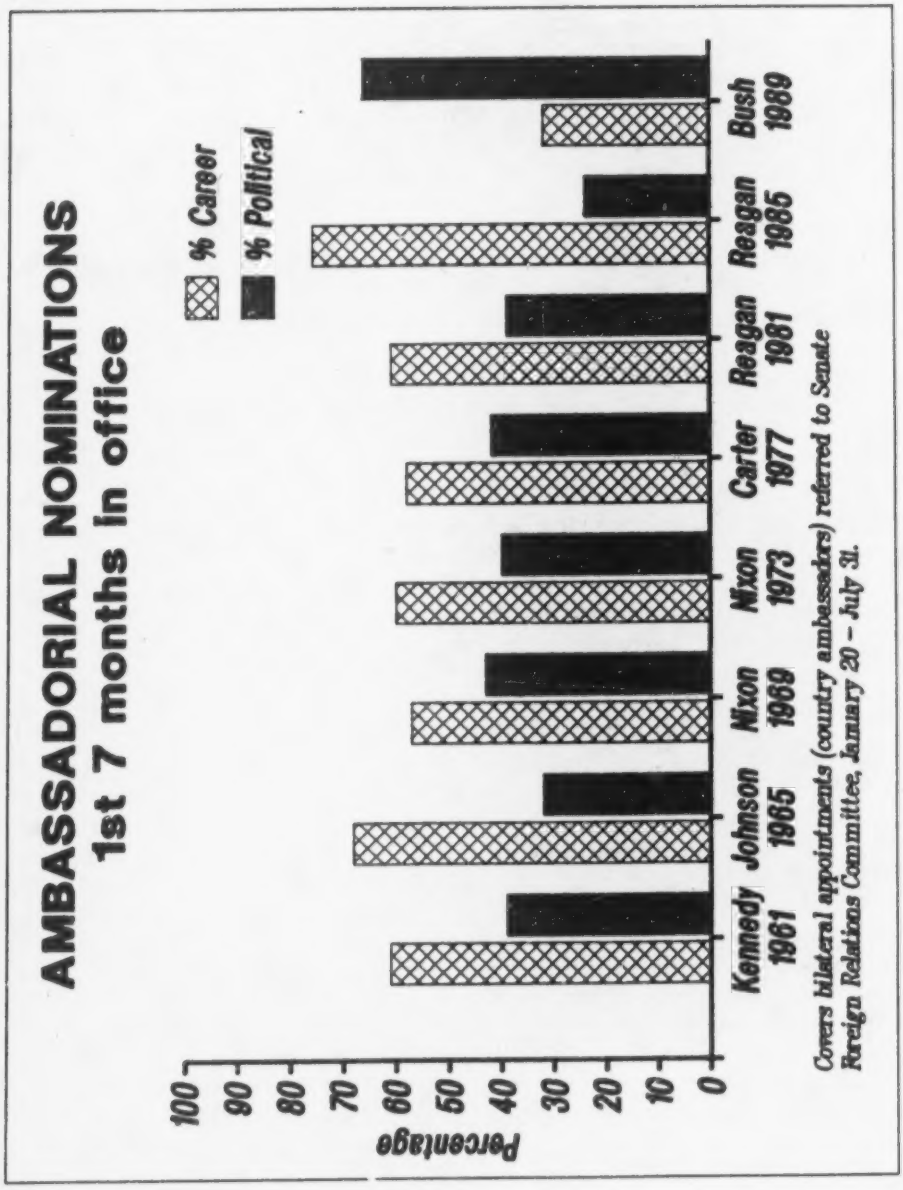
The decision to give primacy to campaign and fundraising involvement over legitimate qualifications destroys the valuable contribution which noncareer appointments can make to our professional diplomatic corps. The purpose of bringing in qualified individuals from outside the Foreign Service should be to supplement our existing diplomatic resources and capabilities with first-rate individuals from the private sector, individuals who will invigorate and refresh the Foreign Service rather than drain and demoralize it.

TABLE A

Kennedy (first 7 months of 1961):	
Nominations total	61
Career (61 percent)	37
Political (39 percent)	24
Johnson (first 7 months of 1965):	
Nominations total	31
Career (68 percent)	21
Political (32 percent)	10
Nixon (first 7 months of 1969):	
Nominations total	51
Career (57 percent)	29
Political (43 percent)	22
Nixon II (first 7 months of 1973):	
Nominations total	30
Career (60 percent)	18
Political (40 percent)	12
Carter (first 7 months of 1977):	
Nominations total	55
Career (58 percent)	32
Political (42 percent)	23
Reagan (first 7 months of 1981):	
Nominations total	38
Career (61 percent)	23
Political (39 percent)	15
Reagan II (first 7 months of 1985):	
Nominations total	37
Career (76 percent)	28
Political (24 percent)	9
Bush (first 7 months of 1989):	
Nominations total [1]	46
Career (33 percent)	15
Political (67 percent)	31

[1] Covers bilateral appointments (country ambassadors percent) referred to Senate Foreign Relations Committee, January 20–July 31. Source: Senate Foreign Relations Committee Legislative Calendars.

CHART A


AMBASSADORIAL NOMINATIONS
1st 7 months in office
% Career
% Political
Percentage
100
90
80
70
60
50
40
30
20
10
0
Kennedy 1961
Johnson 1965
Nixon 1969
Nixon 1973
Carter 1977
Reagan 1981
Reagan 1985
Bush 1989
Covers bilateral appointments (country ambassadors) referred to Senate Foreign Relations Committee, January 20 - July 31.

THE CONTEMPORARY ROLE OF THE U.S. AMBASSADOR

It is sometimes asserted that in the age of modern telecommunications, the U.S. Ambassador no longer plays a decisive or even particularly influential role in the formulation and conduct of foreign policy, and that for all practical purposes the role has been reduced to its ceremonial aspects. In such a view, not only are all major decisions made in Washington but the Ambassador's counsel is irrelevant. In the country to which the Ambassador is accredited, a competent Embassy staff serves to prevent major mistakes from occurring.

This view is extremely shortsighted and misleading. First, the U.S. Ambassador has very serious responsibilities. The era of glamour, if it ever existed, is long past. At a time when disputes are increasingly being resolved by diplomats rather than generals, we rely on our Ambassadors not only to resolve problems but to prevent them from arising in the first place. Further, we count on our Ambassadors to discern and develop opportunities, and we pay significant costs in lost opportunities when they are not competent to do so.

From questions of trade to interethnic rivalries, from terrorism to narcotics trafficking, our Ambassadors must know how and where to represent our interests most effectively. Defusing sudden and complex conflicts in a relationship and identifying new avenues of mutual cooperation depend significantly on having astute, knowledgeable, experienced representatives on the scene. This is crucial to U.S. national interests—economic interests, political interests, and security interests.

Second, sending an Ambassador who possesses no obvious qualifications for the position conveys a very unfortunate message to the country involved. It says, in effect, "Our relationship is not important enough to require the appointment of an able representative of our Nation." It also says that we value the country's climate more than its respect and friendship. To the world it says, "The United States is not serious about diplomacy. America places a higher premium on political rewards than on furthering its interests abroad." No other modern industrial nation appoints its Ambassadors in this way. Neither should the United States.

Third, choosing an unqualified ambassador demoralizes the career Foreign Service and ultimately endangers our ability to attract educated, committed young people into professional diplomacy. Our national interests are not well served if donating $100,000 to a political party gives one a better chance of being nominated to an ambassadorship than spending 20 years in the career Foreign Service. Would one for a moment consider nominating generals and admirals in the same fashion?

THE IMPORTANCE OF SPAIN

Where Spain is concerned, the United States has economic, political, security, cultural, and historical interests of the highest order. Spain has undergone a profound political and economic transformation since the death of Franco in 1975 and the subsequent establishment of democratic institutions. Throughout this period the United States has been represented in Madrid by Ambassadors

with distinguished careers in the Foreign Service and experience directly relevant to their service in Spain.

(a) 1975–78—Ambassador Wells Stabler: career officer with more than 30 years of service, including posts in Rome and Paris; at time of appointment was Principal Deputy Assistant Secretary of State for European Affairs. Spoke Spanish and had extensive management experience.

(b) 1978–83—Ambassador Terence Todman: a fluent Spanish speaker, Todman had served as Ambassador to Chad, Guinea, and Costa Rica, and was serving as Assistant Secretary of State for Inter-American Affairs at the time of his nomination. Currently United States Ambassador to Argentina.

(c) 1983–86—Ambassador Thomas Enders: came to Spain after serving as Ambassador to Canada and as U.S. Representative to the European Communities. For the two years prior to his appointment, held the position of Assistant Secretary of State for Inter-American Affairs.

(d) 1986–89—Ambassador Reginald Bartholomew: served in the Department of Defense from 1968 until joining the Foreign Service in 1974. A Spanish speaker, he had previously been Ambassador to Lebanaon and Special Negotiator for the United States-Greece base negotiations. Recently confirmed as Under Secretary of State for Security Affairs.

Although the transition of the immediate post-Franco period has ended, new changes are underway. In a March 11 article appropriately entitled, "The Next Transition," The Economist noted: "Spain is at a painful but unavoidable turning point in its recent history * * * The country is changing gears." Having entered the European Community just 3 years ago, Spain already plays a crucial role in the rapid movement toward European economic integration which will culminate in Europe 1992. Spain today has the fastest growing economy in Europe, with annual real economic growth averaging roughly 5 percent and investment increasing at a 14 percent annual rate over the past 2 years.

The United States has important interests in expanding bilateral trade with Spain and in anticipating and preparing for the opportunities and problems that arise in connection with Europe 1992. We need an ambassador who knows the issues of European economic integration and understands the continuing evolution of the Spanish economy.

The same is true with respect to the security relationship. A new agreement on United States-Spanish bases entered into force barely 4 months ago, marking a significant change in military arrangements which date back to 1953. The agreement redefines United States-Spanish military relations in the context of Spain's affiliation but not full integration into the NATO command, and in the context of Spain's increasingly active involvement in all aspects of European affairs. Implementation of the agreement, including redeployment of the F–16's stationed at the Torrejon base, is just beginning. This is hardly a time to put U.S. diplomatic representation on automatic pilot with a wholly inexperienced Ambassador.

Further, it is especially important in this period to have a U.S. Ambassador sensitive to the potential significance of the Spanish

experience to the nations of Latin America, Eastern Europe, and generally to the developing world. Spain's extraordinary transition to democracy and open markets may serve as a model for other nations seeking to follow a similar course. Moreover, the elections in Spain scheduled for next summer may turn out to be not only an important watershed in recent Spanish history but also an important indicator of European political currents.

THE ZAPPALA NOMINATION

Disregarding the guidelines set forth in the 1980 Foreign Service Act and the critical interests and complex issues in the United States-Spain relationship, it is now proposed to send an ambassador to Spain who possesses no prior experience or educational background in foreign policy, no particular interest in or knowledge about Spain, and no Spanish language ability. In fact, one is struck by the paucity of Mr. Zappala's civic involvements as listed in his response to the committee questionnaire. [See Appendix 2 setting out in full his qualifications.]

Furthermore, despite the statute specifying that political contributions should not be a factor in making nominations, they appear to be the sole reason behind the nomination of Joseph Zappala. In fact, as set out below, a good part of Mr. Zappala's certificate of demonstrated competence is devoted to enumerating his heavy political giving.

REPORT FOR FOREIGN RELATIONS—UNITED STATES SENATE

Subject: Ambassadorial Nomination: Certification of Demonstrated Competence (Foreign Service Act, Section 304(a)(4).
Post: U.S. Ambassador to Spain.
Candidate: Joseph Zappala.

Mr. Zappala 56, is presently Chairman and Chief Executive Officer of Joseph Zappala and Associates, in St. Petersburg, Florida; Chairman, Home Town Investors, Inc., and Owner and Chairman of Tucson Greyhound Park, Tucson, Arizona. Mr. Zappala is also presently on the Board of Directors of First Union National Bank and the board of the College of Veterinary Medicine, University of Florida. Mr. Zappala is President of STRAIGHT Inc. and a member of the board of the Police Athletic League.

Mr. Zappala was National Finance Co-Chairman for the American Bicentennial Presidential Inaugural and Chairman of the Florida Victory Committee. Formerly Mr. Zappala was on the George Bush for President National Steering Committee in 1988 and the National Finance Committee Co-Chairman for the State of Florida as well as National Co-Chairman for the Republican National Committee's Team 100. Mr. Zappala was also Co-Chairman of George Bush for President 1979.

Mr. Zappala is a graduate of the New York Institute of Finance. Mr. Zappala's impressive business background in real estate combined with his civic activities qualify him as an excellent candidate for U.S. Ambassador to Spain.

The Office of Government Ethics requires ambassadorial nominees to divulge all contributions as defined under the Federal Elections Campaign Act of 1971 (2 U.S.C. 431), and Mr. Zapalla lists nearly $25,000 in such contributions during 1988. [Appendix 3.] However, this act exempts from all reporting requirements and size limitations contributions made to State and local political parties. In this regard it is important to note that, according to information released publicly by the Republican National Committee, Mr. Zappala, as a member of Team 100, is among those who donated $100,000 last year to the Republican Party. [See Appendix 4.]

It is also apparent that Mr. Zappala has approached his nomination with a disturbing lack of seriousness. Question 15 in part A of the standard Senate Foreign Relations Committee questionnaire submitted to all Ambassadorial nominees asks:

> Are there any factors, other than the information provided above, which particularly qualify you for the position to which you have been nominated?

Mr. Zappala's official response reads:

> I am known as a coalition builder. I am able to organize my colleagues and peers to action in support of worthwhile civic, charitable, and political causes.

Remarkably enough, the response given to the same question by his close friend and fellow real estate developer, Mr. Melvin Sembler, who has been nominated to be United States Ambassador to Australia, was as follows:

> I have been known as a coalition builder, able to organize my colleagues and peers to action in support of worthy civic, charitable, and political causes.

The strikingly similar answers occurred, according to an article in the Washington Post, as the result of Mr. Zappala's public relations consultant's filling out the questionnaire for him by copying the words of Mr. Sembler's public relations consultant, who filled out Mr. Sembler's form. [See Appendix 5.] As a Washington Post editorial later commented:

> Modular testimony. Pre-fab (by someone else) self-description. It doesn't inspire a whole lot of confidence. Can the would-be ambassadors be trusted to enter into dialog with their host governments if they, apparently, cannot be trusted to write a few lines on their own qualifications? [Appendix 6.]

Given these facts, it is not surprising that even the hometown newspaper of Mr. Zappala has editorialized against his nomination. Wrote the St. Petersburg Times:

> In the past, some new ambassadors' lack of preparation for their jobs has been offensive to host countries and has prevented our government from taking advantage of important diplomatic opportunities. Whether political appointees or career diplomats, our ambassadors would possess the same qualifications that we have come to expect of foreign diplomats serving in this country. Otherwise, we run the risk of creating touchy situations that even successful St. Petersburg developers aren't capable of getting us out of. [Appendix 7.]

Numerous articles and editorials around the country have made similar argument. [Appendix 8.]

CONCLUSION

The Senate must keep foremost in its thinking when asked to give its advice and consent to ambassadorial nominations that the

national interest is at stake. These appointments must be taken seriously and ought not to be treated as political throwaways. While on occasion in the past some questionable nominees have gone through we ought not to let this process deteriorate any further. It has gone too far already. Now is the time to say stop. The Senate should reject the nomination of Joseph Zappala to be United States Ambassador to Spain.

APPENDIX 1

FOREIGN SERVICE ACT OF 1980, PUBLIC LAW 96-465

SEC. 304. APPOINTMENT OF CHIEFS OF MISSION.—(a)(1) An individual appointed or assigned to be a chief of mission should possess clearly demonstrated competence to perform the duties of a chief of mission, including, to the maximum extent practicable, a useful knowledge of the principal language or dialect of the country in which the individual is to serve, and knowledge and understanding of the history, the culture, the economic and political institutions, and the interests of that country and its people.

(2) Given the qualifications specified in paragraph (1), positions as chief of mission should normally be accorded to career members of the Service, though circumstances will warrant appointments from time to time of qualified individuals who are not career members of the Service.

(3) Contributions to political campaigns should not be a factor in the appointment of an individual as a chief of mission.

(4) The President shall provide the Committee on Foreign Relations of the Senate, with each nomination for an appointment as a chief of mission, a report on the demonstrated competence of that nominee to perform the duties of the position in which he or she is to serve.

(b)(1) In order to assist the President in selecting qualified candidates for appointment or assignment as chiefs of mission, the Secretary of State shall from time to time furnish the President with the names of career members of the Service who are qualified to serve as chiefs of mission, together with pertinent information about such members.

(2) Each individual nominated by the President to be a chief of mission, ambassador at large, or minister shall, at the time of nomination, file with the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report of contributions made by such individual and by members of his or her immediate family during the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination. The report shall be verified by the oath of the nominee, taken before any individual authorized to administer oaths. The chairman of the Committee on Foreign Relations of the State shall have each such report printed in the Congressional Record. As used in this paragraph, the term "contribution" has the same meaning given such term by section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)), and the term "immediate family" means the spouse of the nominee, and any child, parent, grandparent, brother, or sister of the nominee and the spouses of any of them.

(c) Within 6 months after assuming the position, the chief of mission to a foreign country shall submit, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, a report describing his or her own foreign language competence and the foreign language competence of the mission staff in the principal language or other dialect of that country.

APPENDIX 2

BIOGRAPHICAL INFORMATION FOR JOSEPH ZAPPALA, NOMINATED FOR AMBASSADOR TO SPAIN

1. Name: Joseph Zappala.
2. Address: 4950 Gulf Boulevard, Suite 1007-1009; St. Petersburg, FL 33710.

3. Date and Place of Birth: September 11, 1933, Bronx, New York.

4. Marital Status: Married.

5. Spouse's Maiden Name: 1936-57 Carole V. Kerbo; 1957-61 Carole Mikler (1st Marriage).

6. Names and ages of children: Kimberly Spohn, 31 (2/27/58); Valerie Steigner, 27 (2/6/62); Joanne Zappala, 25 (6/11/63); Andrea Zappala, 23 (3/29/65).

7. Education—List each institution attended since high school and include the dates attended and any degree(s) awarded: Command Conference Leader, I.I.&E. U.S. Army 1952; New York Institute of Finance (non-graduate course) 1955-1956).

8. Employment Record—List all jobs since college and include the title or description of job, the name of employer, the location and the dates of employment:

Odd jobs between high school and joining U.S. Army—11/50-3/51

Construction/Bookkeeper/Timekeeper—A.O. Candon Co, Long Island, NY—3/54/-1/55

Salesman—Fiber Processors Inc., Clearwater, FL—1/55-9/55

Clerk—Abrams & Company, New York, NY—9/55-4/56

Manager/Buyer—Top Hat Shop, New York, NY—4/56-5/57

Sales Manager—Sky Mart Draperies, St. Petersburg, FL—6/57-5/59

Co-owner—Real Estate Sales Office, St. Petersburg, FL—6/59-1960

Chairman and Chief Exec. Officer—Joseph Zappala & Assoc., St. Petersburg, FL—1960-Present.

9. Government Experience—List any experience in, or association with, Federal, state or local governments, including any advisory, consultative, honorary or other part-time service or positions not shown in question 8: 1979 Finance Co-Chairman of Pinellas County & Co-Chairman of Florida Fundraiser for George Bush; 1987-1988 George Bush for President National Steering Committee, National Finance Committee & Co-Chairman of Florida; 1988 Jewish Coalition Campaign Committee, Exec. Committee Member; Steering Committee for Pinellas County for Connie Mack; National Co-Chairman of Finance-American Bicentennial Inaugural; Republican National Committee of Florida and a member of Eagle.

10. Honors and Awards—List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements: Humanitarian Award, 1973; Pinellas Association for Retarded Children (PARC); Service Award—Straight Drug Rehabilitation Centers, Nationwide; Gates of Jerusalem Medal, 1983; Citation of Honor, 1986—Jewish National Fund; Tree of Life Award, 1987—Jewish National Fund and Florida State Award for hiring handicapped workers.

11. List all languages spoken and include a self-assessment of your ability to speak, write and understand the language: English, 1st language; Italian; spoken and understood well.

12. Published Writings—List the titles, publishers and dates of books, articles, reports and other published materials you have written: No published writings.

13. Speeches—List the title of any speech you have delivered during the last two years which you have reduced to writing or which has been transcribed and which is on a topic related to the position for which you have been nominated, and include the date of delivery and the audience. Please provide a copy of each. No speeches have been delivered over the past two years relating to the position of Ambassador to Spain.

14. Organizational Affiliations—List all civic, cultural, educational or philanthropic organizations you have been associated with in the past 10 years. Include any position held in the organization and the dates of service:

1971-Present—Pinellas Assoc of Retarded Children (PARC), Treas. 1st VP; Pres. Chair. of Bd., Member, St. Petersburg, FL.

1979-1989—First Union National Bank, Board of Directors, St. Petersburg, FL.

1979-1989—STRAIGHT, Inc., Co-Founder, President, St. Petersburg, FL.

1983-1989—Friars Club, Member, NYC, NY.

1985-1989—St. Petersburg Chamber of Commerce, Member, St. Petersburg, FL.

1985-1989—Seminole Lake Country Club Member, Seminole, FL.

1988-1989—Univ. of Florida College of Veterinary Medicine, Dean's Advisory Council—Gainsville, FL.

1985-1989—Florida Business Advisory Com., Member.

15. Are there any factors, other than the information provided above, which particularly qualify you for the position to which you have been nominated?

I am known as a coalition builder. I am able to organize my colleagues and peers to action in support of worthwhile civic, charitable and political causes.

16. Have you ever been nominated or served in a position requiring Senate confirmation?

No.

APPENDIX 3

JOSEPH ZAPPALA—059-26-9565 NOMINATED FOR AMBASSADOR TO SPAIN

FEDERAL CAMPAIGN CONTRIBUTION REPORT

Contributor and donee	Date	Amount
1. Self—Joseph Zappala:		
Friends of Bob Graham	Jan. 15, 1986	$250
Congressman Bill Young Campaign	Mar. 04, 1986	250
Super Task Force	Mar. 24, 1986	1,900
Michael Bilarakis Campaign Fund	July 11, 1986	1,000
Vice President Exploratory Account	Aug. 05, 1986	750
NATPAC	Sept. 04, 1986	1,000
NATPAC	Oct. 21, 1986	1,000
Victory Committee	Mar. 18, 1987	5,000
Michael Bilarakis Campaign	Apr. 29, 1987	1,000
The Fund for America's Future	June 23, 1987	5,000
Iowa Republican Party	Aug. 19, 1987	200
Friends of Michael Bilarakis	Sept. 08, 1987	100
The Hampton Republican Town Convention	Jan. 26, 1988	180
Michael Bilarakis for Congress	Mar. 04, 1988	1,000
Florida Victory Committee	Mar. 08, 1988	5,000
Republican Party of Florida	Apr. 22, 1988	500
Friends of Connie Mack	Apr. 27, 1988	1,000
Rublican Party of Florida—Florida Presidential Tribute	June 29, 1988	5,000
Presidential Trust	July 25, 1988	10,000
Pete Dawkins for U.S. Senate	July 28, 1988	1,000
Connie Mack	Oct. 10, 1988	1,000
2. Spouse—Carole Zappala:		
Michael Bilarakis Campaign Fund	July 11, 1986	500
Vice Presidential Exploratory Account	Aug. 05, 1986	750
George Bush Campaign	Mar. 03, 1987	500
Iowa Republican Exploratory Account	Aug. 19, 1987	750
The New Hampshire Visit	Feb. 11, 1988	846
Friends of Connie Mack	Apr. 27, 1988	1,000
Florida Victory Committee	July 23, 1988	1,000
Iowa Republican Party	Aug. 19, 1988	200
Connie Mack Campaign	Oct. 10, 1988	1,000
3. Children and spouses:		
Joanne Zappala: George Bush Campaign	October 1987	1,000
Andrea Zappala:		
George Bush Campaign	October 1987	1,000
Connie Mack Campaign	November 1988	1,000
Kimberly Spohn:		
Bill Young Campaign	March 1988	10
The New Hampshire Visit	Feb. 11, 1988	115
James Spohn		0
Valerie Steigner:		
George Bush Campaign	July 1987	1,000
Bill Young Campaign	March 1988	10
George Steigner: George Bush Campaign	July 1987	1,000
4. Parents:		
Vincenza M. Tagarelli		
5. Grandparents:		
Deceased		
6. Brothers & Spouses:		
I do not have any brothers		

Contributor and donee	Date	Amount
7. Sisters & Spouses:		
Angela Lee		

I have listed above the names of all members of my immediate family including their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

JOSEPH ZAPPALA.

Subscribed and sworn (or affirmed) before me this 16th day of March A.D. 1989, at St. Petersburg, Florida.

APPENDIX 4

[From The New York Times, Jan. 24, 1989]

PRODDED BY LOBBYING GROUP, G.O.P. REVEALS $100,000 DONORS

[By Richard L. Berke]

WASHINGTON.—The Republican National Committee today made public the names of about 250 donors who gave at least $100,000 to the party last year, in effect protecting Robert A. Mosbacher Sr., the Commerce Secretary designate, from pointed questions about the list at his Senate confirmation hearing Tuesday.

As President Bush's campaign finance chairman, Mr. Mosbacher had refused to release the list of donors, who gave an estimated $25 million to the party, saying such a decision was up to the Republican National Committee.

But Fred Wertheimer, president of Common Cause, a lobby here had been scheduled to testify at Mr. Mosbacher's confirmation hearing and had planned to urge senators to hold up the nomination until Mr. Mosbacher released the list. Mr Wertheimer argued that the public had a right to know who was bankrolling last year's campaigns, and whether those people would be rewarded with political appointments in the Common Department or other agencies.

After the list was released today, Mr. Wertheimer said he would not testify.

"UNJUSTIFIED" DISTRUST

Wayne L. Berman, a spokesman for Mr. Mosbacher, said Common Cause's prodding "sped up" the already planned release of the list. He complained that Mr. Wertheimer's assertions had showed an "unjustified" distrust of Mr. Mosbacher.

The donations, collected by Mr. Mosbacher beginning last summer under a program called "Team 100," could not be spent by Mr. Bush's campaign, which was financed mostly with public money. But the donations went to indirect local and national party efforts to help Mr. Bush.

The law does not require disclosure of this type of contribution. The list, sprinkled with the names of well-known business executives and politicians, did not include details like who gave more than $100,000 or how the money was divided.

Mark Goodin a spokesman for the Republican National Committee, said it would be an invasion of privacy for the party to release the amount of each donation and said, "We are going above and beyond the constraints of the law."

He explained that the party took months to release the donor list because it took that long to compile.

Mr. Wertheimer said he remained troubled by the amount of private money collected. "The public needs to know whether individuals or corporations that give large sums of money to the Bush campaign are seeking access or influence with the Bush Administration," he said.

APPENDIX 5

[From the Washington Post, June 24, 1989]

TWO WOULD-BE ENVOYS ARE FREQUENT PARTNERS

NOMINEES EVEN SHARED PHRASES

[By Bill McAllister and Paula Yost]

Joseph Zappala and Melvin F. Sembler of St. Petersburg, Fla., have a lot in common.

They are developers, frequently partners on the same projects, have offices two blocks apart, work in the same charities and political campaigns, gave about $126,000 each to many of the same Republican political candidates in recent years—and were nominated for ambassadorships by President Bush.

So when their names came up for Senate confirmation this week, aides said it was not surprising that both men used the same words to describe themselves in disclosure forms.

"I have been known as a coalition builder, able to organize my colleagues and peers to action in support of worthy civic, charitable and political causes," said Sembler, 59, nominated to be ambassador to Australia.

"I am known as a coalition builder. I am able to organize my colleagues and peers to action in support of worthwhile civic, charitable and political causes," said Zappala, 56, nominated to be ambassador to Spain.

Those coincidences, and a fear that they would be "ambassadors without qualifications," were enough to prompt Sen. Paul S. Sarbanes (D-Md.) into action and delay Senate Foreign Relations Committee consideration of the nominations until next month.

The number of ambassadorships that go to political appointees, especially to campaign contributors, long has been a source of major controversy in Washington. Sen. Claiborne Pell (D–R.I.), the committee chairman, said this week that the process has made the United States "a joke . . . in many nations around the world."

Aides to the two developers said in separate interviews that they, not their bosses, were responsible for the strikingly similar prose in the five-page questionnaire that every ambassadorial nominee must file with the committee.

"Those are my words," said Tampa public relations consultant Pat Lewis. She said she completed Sembler's form using the same description of Sembler she often employed during the past five years while serving as his speech writer and publicist. Lewis said, however, she was not certain how her words got onto Zappala's form.

Bruce Bannard, a Zappala associate, said he knew. Bannard said he filled out Zappala's form and had a copy of Sembler's resume, borrowed from Lewis, with him at the time. "Whether consciously or unconsciously," Bannard said, he lifted the wording.

"Coalition builders, which they both are. The language depicts them to a 'T'," he said.

Both aides said that they gave the forms to their bosses, who last served together as financial cochairmen of the Bush inauguration committee. They reviewed the forms separately, swore they were accurate and returned them to the State Department, the aides said.

An official in the State Department's congressional affairs office, which assembles the forms for submission to the committee, said they were reviewed there. But no one noticed the similarity in responses to question No. 15: "Are there other factors, other than the information provided above, which particularly qualify you for the position to which you have been nominated?"

(Many of the Bush ambassadorial nominees didn't bother to answer that question. Former Nevada senator Chic Hecht (R) did, saying he is qualified to be envoy to the Bahamas because the "lifestyle of the Commonwealth of the Bahamas is similar to the lifestyle of Las Vegas, Nev.")

The responses of the two Florida developers to the 15 other questions on the committee form appear dissimilar. Both men acknowledged that they and members of their immediate families gave a lot of money to politicians, mostly to Republicans.

Between 1985 and 1988, each gave $141,000 to the same political candidates or campaign committees, according to data filed with the committee. Most of the recipients were Republicans and many of the amounts were identical.

Asked to list all his languages, Sembler replied: "English (fluent)," Zappala, whom committee sources say wanted to be ambassador to Italy, replied: "English—1st language" and "Italian—spoken and understood well."

In a one-page summary of their qualifications, "a certification of demonstrated competence," the State Department listed many of their business and political activities.

"Mr. Sembler's extensive business background, combined with his involvement in a drug-free America, will serve him well to be an excellent candidate for U.S. ambassador to Australia," his certificate read.

The one for Zappala had similar wording. "Mr. Zappala's impressive business background in real estate, combined with his civic activities, qualify him as an excellent candidate for U.S. ambassador to Spain," it said.

Pell complained that the certificates of competence have "become complete fiction."

A spokesman for Sarbanes, who made a point of the language in the Sembler and Zappala forms during a hearing Tuesday, said he is not certain whether the senator or one of his aides had spotted the similarities.

Sarbanes, who has a reputation as a studious, almost bookish legislator, had directed a staffer to make a line-by-line review of the forms and then personally reviewed them before the congressional hearing.

His complaints delayed committee action on the nominations along with the nomination of Della Newman, a Seattle real estate broker nominated to be ambassador to New Zealand, until July 10, when the Senate returns from its Fourth of July recess.

A State Department official, who asked not to be identified, said she is not as concerned about the similar language in the Zappala and Sembler forms. "Just a fluke," said the official, a political appointee.

APPENDIX 6

[From the Washington Post, June 23, 1989]

THE AMBASSADORS

We have been thinking of establishing yet another great public service honor: the Mrs. Farkas Award for the most exotic, not to say improbable, campaign-contributor appointee to the American diplomatic corps. Ruth Farkas, for those of you who may not remember, was the very rich woman who became famous when Richard Nixon's lawyer reported that she had complained about price-gouging in the dispensation of Nixon administration ambassadorships (". . . isn't $250,000 an awful lot of money for Costa Rica?"). Now, before you get us wrong, it is not our view that *all* ambassadorships need to go to Foreign Service officers or that campaign contributions should actually be disqualifying. There have been plenty of first-rate non-foreign service ambassadors over the years.

But in truth there have also been a lot more turkeys—incompetents, bad jokes, envoys who would more aptly be called the American embarrassador than the American ambassador. Nor is it as if these were always harmless appointments; real damage can be done and has been by some of the unsuited types and downright nitwits that this country has proudly sent overseas at the behest of Democratic as well as Republican administrations.

All this is background to the jousting now going on in the Senate, where Democrat Paul Sarbanes of Maryland has stalled Senate Foreign Relations Committee action on three administration appointees, putting off a final determination until after the July 4 recess. The embassies at issue are Spain, Australia and New Zealand. The nominees are a land developer, a businessman and a real estate broker. For all we know they may be well qualified, though Mr. Sarbanes thinks they are not and has pointed, among other things, to a rather discouraging aspect of their self-presentations before the committee. At the place on the resumé form where would-be ambassadors are asked what special qualifications they have that were not previously mentioned by them, one wrote: "I have been known as a coalition builder, able to organize my colleagues and peers to action in support of worthy civic, charitable and political causes." Another wrote—guess what?—"I am known as a coalition builder. I am able to organize my colleagues and peers to action in support of worthwhile civic, charitable and political causes."

Modular testimony. Pre-fab (by someone else) self-description. It doesn't inspire a whole lot of confidence. Can the would-be ambassadors be trusted to enter into dialogue with their host governments if they, apparently, cannot be trusted to write a few lines on their own qualifications? Guidance only gets you so far. We await with interest the next phase of the committee's hearing.

APPENDIX 7

[From the St. Petersburg Times, July 13, 1989]

THE INTERNATIONAL LANGUAGE

According to U.S. Rep. C.W. Bill Young, St. Petersburg developers Mel Sembler and Joseph Zappala have all sorts of qualifications for their new jobs as U.S. ambassadors to Australia and Spain, respectively.

"Australia is so much like the United States, and Mel Sembler certainly knows his way around the United States," Young said. "He is certainly able to communicate, which is one of the essential requirements of diplomacy." Young had similar praise for the diplomatic skills of Zappala, who he said "has handled a lot of touchy situations in his business life."

Sembler and Zappala may turn out to be excellent ambassadors, and their appointments by President Bush undoubtedly bring prominence to St. Petersburg. However, their selection had nothing whatsoever to do with their ability to find their way around, or to communicate, or to handle touchy situations.

Actually, that's not entirely true. Sembler and Zappala know their way around the power centers of the national Republican Party, and they know how to communicate in the international language: money. They were members of "Team 100," a group of donors who contributed at least $100,000 each to the Republican Party during last fall's campaign. They also served as co-chairmen of the national committee that raised $20-million to help pay for the Bush inaugural. The services rendered by Sembler and Zappala add up to serious qualifications for political appointment.

The practice of making ambassadorial appointments based on politics is neither new nor necessarily bad. Some political appointees with no previous diplomatic experience turn out to be excellent ambassadors. For example, former U.S. Sen. Mike Mansfield turned out to be an inspired choice as ambassador to Japan.

On the other hand, some career Foreign Service officers turn out to be inappropriate choices for particualr assignments. John Negroponte, most recently U.S. ambassador to Honduras, has become a controversial choice as our new ambassador to Mexico because of his previous involvement with the Contra guerrillas fighting the government of Nicaragua. His predecessor in Mexico City, John Gavin, an old Hollywood friend of President Reagan's, won generally high marks for his diplomatic performance.

However, an overabundance of politically based ambassadorial appointments can cause problems. First, an influx of political appointees can harm the morale of career Foreign Service offficers better qualified for diplomatic duty. The percentage of political appointments rose from about 25 percent to 40 percent during the Reagan years, with a concomitant decline in ambassadorships awarded on merit. That percentage may go even higher with President Bush's new appointments.

Of course the real risk is that some political appointees can harm Ameircan interests because they lack the backgrounds and abilities needed to articulate and implement U.S. policy. Our new ambassador to Italy, another political ally of the new president, does not speak fluent Italian. Zappala, whose Spanish is similarly rudimentary, does not claim to be particularly familiar with the recent history of Spain's ambivalent political and military relationship with the United States and the rest of Western Europe.

In the past, some new ambassadors' lack of preparation for their jobs has been offensive to host countries and has prevented our government from taking advantage of important diplomatic opportunities. Whether political appointees or career diplomats, our ambassadors should possess the same qualifications that we have come to expect of foreign diplomats serving in this country. Otherwise, we run the risk of creating touchy situations that even successful St. Petersburg developers aren't capable of getting us out of.

APPENDIX 8

[From the Boston Globe, July 28, 1989]

AMBASSADORS ON THE MONEY-GO-ROUND

(By H.D.S. Greenway)

In 1950, Irving Berlin wrote a musical comedy, "Call me Madam," based on the career of Perle Mesta, the Washington "hostess with the mostest" whom Harry Truman picked to be ambassador to Luxembourg, although she had no qualifications for the job other than knowing how to throw a party.

Where is Irving Berlin now that we need him? He could write another comedy—"Call Me Moneybags," starring Chevy Chase, about some of the characters the Bush administration has picked to represent the United States abroad.

Consider the Tweedledum and Tweedledee cases of Florida land developers Joseph Zappala and Melvin Sembler, whom the administration would send as ambassadors to Spain and Australia, respectively.

On his disclosure form, submitted to the Senate Committee on Foreign Relations, Zappala described his qualifications by stating: "I am known as a coalition builder. I am able to organize my support of worthwhile civic, charitable and political causes."

Now let's look at what Melvin Sembler put down on his form: "I have been known as a coalition builder, able to organize my colleagues and peers to action in support of worthy civic, charitable and political causes."

The two men have offices two blocks apart in St. Petersburg, Fla., and often collaborate in business. Perhaps they copied each other's homework in school. What could be more logical than to have the same public-relations consultant writing the same pap for both of them?

What they really have in common, of course, is having given big bucks to the Republican Party.

It has become an accepted norm of American politics to reward big-time contributors with ambassadorships. But the administration is supposed to file a "certification of demonstrated competence," listing some special qualifications they may have to represent the United States in a particular country.

These certificates, according to Sen. Claiborne Pell, himself a former Foreign Service officer, "have become a complete fiction."

There is nothing wrong with lacing ambassadorial appointments with talented outsiders rather than depending completely on the Foreign Service. Mike Mansfield (Japan), Averell Harriman (USSR), and John Kenneth Galbraith (India) all come to mind as men who brought competence and talent to their embassies, getting them out from under the sometimes deadening hand of the State Department bureaucracy.

The quintessential outsider-turned-insider was the late David Bruce, who left the Foreign Service at a young age to become a banker and a gentleman farmer. Yet he was brought back to serve under four presidents as ambassador to Paris, Bonn and London and as head of the liaison office in Peking.

It is probably inevitable that some big-time contributors with less than Bruce-like qualifications will end up in foreign embassies. But there should be a balance. During the first seven months of the Kennedy administration, for example, the ratio of career diplomats to political appointees nominated was 61 percent career to 39 percent political. The next four presidents never let the percentage of career ambassadors slip below 57 percent, and the average ratio has traditionally been between 65 percent and 70 percent professional Foreign Service. So far, only 32 percent of Bush's nominees have been career officers; the rest have been political.

To be fair, the ratio is skewed because, unlike many other incoming presidents, Bush has asked several top Foreign Service professionals, such as Frank Wisner in Cairo and Nicholas Platt in the Philippines, to finish out their terms. He has also appointed some first-class Foreign Service officers to sensitive posts, such as Morton Abromowitz, a former assistant secretary of state, to be ambassador to Turkey.

But there are still too many appointees who are offensive to the countries where they are being asked to serve. Take the case of Chic Hecht, a former Nevada senator who said he was qualified to be envoy to the Bahamas beause the lifestyle is "similar to the lifestyle of Las Vegas."

The Australian recently editorialized: "Cadillac dealers and stock market wheeler-dealers might represent a main strand of American culture, but they can hardly claim to possess unique—or even adequate—qualifications to present their country to an important ally.

"It is, in a word, insulting."

[From the New York Times, July 3, 1989]

TRIVIALIZING AMBASSADORS

Presidents and Congress have a habit of rewarding fat cats and cronies with foreign embassies, of treating many ambassadorial appointments as if they don't much matter in representing American interests and values. But they do matter, sometimes critically.

President Bush has not improved on the tradition, to judge by his nominations to Spain, Australia and New Zealand. The only distinction visible in his proposed Ambassador to Madrid, Joseph Zappala, a Florida developer, is a distinctively large contribution to the Republican Party, reportedly $126,000. Ditto for another Florida businessman, Melvin Sembler ($127,000), nominated to Canberra. And the choice for Wellington is Della Newman, a Seattle broker who managed Mr. Bush's state campaign.

Dispatching a lightweight or inexperienced envoy sends a message of unconcern verging on contempt. That's why a move by Senator Paul Sarbanes deserves support. The Maryland Democrat has forced the Senate Foreign Relations Committee to put off considering this trio until mid-July, giving the Senate more time to weigh the nominees' qualifications—and for all concerned to think harder about the importance of ambassadors.

No one argues that the country would be better served if all ambassadors were professional diplomats. That would have meant losing such star noncareer performers as Mike Mansfield, Averell Harriman, David Bruce and Edwin Reischauer, to name a few. Nor should campaign contributors be automatically excluded. They can do a good job, depending on their political instincts, stature and experience. Moreover, foreign service officers can make feeble ambassadors, given to inertia, caution and fixation with form.

Presidents need considerable latitude in selecting what are in part personal representatives. The Constitution spells out their right to do so, subject to senatorial consent. It clearly stretches the legislative role to withhold or delay confirmation if a senator objects to a nominee on ideological grounds—an abuse repeatedly and indefensibly indulged by Senator Jesse Helms.

Yet advice and consent does mean something: the Senate has an obligation to hold Presidential nominees to rudimentary standards of competence. Senator Sarbanes has reason to be troubled when Mr. Sembler, the nominee for Australia, supplies this written answer to a question about his qualifications: "I have been known as a coalition-builder, able to organize my peers to action in support of worthy civic, charitable and political causes."

Nearly identical language was used by whoever answered the same written question for Mr. Zappala, the nominee for Spain, treating both the Senate and an important capital with the same manipulative cynicism.

Those old European capitals, with large embassy staffs and calm relations, have long offered safe places to reward fat cats. That's much less true today. Change now buffets Western and Eastern Europe. Consider Italy, where only a year ago and at some political cost, a centrist coalition government agreed to accept U.S. airbases soon to be closed by a Socialist government in Spain. Yet Mr. Bush's choice for Rome is Peter Secchia, manager of his Michigan campaign, whose innocence in diplomacy seems complete.

Does it repay Italy's fidelity, or soothe Spain's nationalism, for the United States to send them envoys conspicuously unequipped by experience or knowledge? It would be wise for the President to reconsider such nominees, and if not, permissible, indeed salutary, for the Senate to reject them.

[From the Baltimore Sun, July 18, 1989]

EMBASSIES FOR SALE

Sen. Paul S. Sarbanes has performed a public service in his guerrilla warfare against confirmation of some of the least qualified people nominated to sensitive ambassadorships.

The Maryland Democrat has suggested auctioning ambassadorships so that at least the money goes to the U.S. Treasury instead of to campaign funds. He has pointed fingers at nominees who penned identical bromides in stating their qualifications. He has ridden point for the more judiciously phrased complaints of the American Foreign Service Association. He has ridiculed State Department tongue-in-cheek certification of certain presidential nominees as qualified who aren't. Above all, Senator Sarbanes used his power as a member of the Senate Foreign Re-

lations Committee to delay confirmation of nominations until public debate can focus on them.

These are Joseph Zappala, a Florida developer and major Bush campaign fund-raiser, as ambassador to Spain; Melvin Sembler, another one, as ambassador to Australia; and Della Newman, a Seattle real estate broker and fund-raiser, as ambassador to New Zealand. These people have no known qualifications other than donations above $100,000, and can do the national interest harm in Spain, which is pushing out U.S. bases; in Australia, which welcomes U.S. nuclear ships and New Zealand, which doesn't. Each of those countries, and U.S. interests in each, deserve better.

One of this ilk who got through is Peter Secchia, a Michigan millionaire known principally for crudity of speech, who has presented his credentials as ambassador to Italy. The Italian press and left are having a field day. There is a pattern here. Look at the choice of the hapless one-term Nevada senator, Chic Hecht, confirmed to be ambassador to the Bahamas, supposedly qualified by his love of golf and interest in casinos.

What President Bush and Secretary of State James A. Baker III seem to be saying is that ambassadors don't matter, the bureaucracy can do the job. But such appointments insult the countries and diminish U.S. influence.

Politically appointed ambassadors can do excellent work. All modern administrations have sinned in selling some embassies. The Bush administration is overdoing it. The Foreign Service Act of 1980 stipulates that "contributions to political campaigns should not be a factor in appointment." In some nominations, it is the only factor. Senator Sarbanes cannot stem the tide. But he is making the squalid practice a political issue, which it should be.

[Editorial in the June 1989 issue of the Foreign Service Journal]

Qualified Ambassadors

Are we in the Foreign Service the only ones concerned about the qualifications of ambassadorial appointees? It appears so. And when we sound the alarm, we are seen as interested only in job security for ourselves. But political ambassadors are not the problem. Ambassadors without qualifications are, be they political or career. The media treats the absence of qualifications lightly, with titters in the gossip columns. Congress, even those members who know better, shrugs and says nothing.

Maybe they are right. Maybe it is okay to sell our diplomatic posts abroad to the highest bidders, for the taxpayers to bear the burden of paying off political activists, and that American interests in Country X, Y, or Z be damned. But we don't think so. Diplomacy is too important. We should practice it carefully and with skill and send out our very best to represent us. We recommend a quality control process for ambassadorial appointments, for both career and political.

The United States no longer can work its will through the sheer force of economic, political, or moral might. Our place in the scheme of things is affected by events and decisions in other countries. We are foolish if we do not seek every legitimate means to influence those decisions. World events touch everyone's job. Ask the steel workers, the UAW, and the farmers. Corporate board rooms understand the importance of the world to their welfare, and they are beginning to look to Washington for effective diplomacy.

How important is skilled diplomacy to reducing the threats of war, to having some impact on the international flood of illegal drugs, to the health of our world's environment? The list of international issues that are important to Americans now and which will be more so in the future is long.

How do we convince the people of a foreign country that we are serious in the pursuit of our country's objectives if the chief representative of the United States in that country can't speak the language, knows next to nothing about that country, and has no visible qualifications to represent the United States there? We can't.

AFSA urges the administration and Congress to consider whether the time has come to rethink the question of ambassadorial qualifications. Experience should have taught us the painful lesson that not just anyone is good enough to represent all of us. We, also, should care enough to send the very best.

[From the New York Times, Feb. 20, 1989]

EX-FINANCE CHAIRMAN COMPLAINS FEW JOBS GO TO BUSH FUNDRAISERS

(By Richard L. Berke)

WASHINGTON.—Robert A. Mosbacher Sr., the Commerce Secretary who was finance chairman of President Bush's campaign, says he is distressed that more campaign fund-raisers have not been rewarded with political appointments.

He blamed officials in the Administration, but not Mr. Bush himself, for favoring political operatives over fund-raisers for posts at all levels of Government.

"There's this perception in Washington and politics, and some degree in Government," he said in an interview this weekend, "that fund-raisers and fund-givers are nice, interesting people to be sort of patted on the head when you need them and ignored the rest of the time because they don't really understand the process."

CRITICISM OF ADMINISTRATION

"We're not trying to foist off any second-grade dummies," he said. "In truth, they are the most successful people in their communities."

Some critics counter that the fund-raisers are doing well in getting appointments. In fact, some of them derided the Administration for being partial to fund-raisers.

Mr. Mosbacher said in the interview that he planned to bring the issue to the attention of White House personnel officials and that he hoped to speak directly to Mr. Bush about it.

The Commerce Secretary, who ran the Bush fund-raising effort in the primaries and the Republican Party's drive to raise millions of dollars from wealthy donors, said there were "several hundred" fund-raisers who deserved appointments to ambassadorships, sub-Cabinet posts or lower-level jobs on commissions who were being neglected. The campaign had a national finance board of some 350 people in the primaries, and for the general election, 249 individuals and corporations gave at least $100,000 apiece to the Republican Party.

"Quite a high percentage of those who have been helpful haven't gotten anything—at least 50 percent," Mr. Mosbacher said.

TOP JOBS FOR MANY

More than a dozen people who gave at least $100,000 to the Republican Party last year, or helped solicit millions of dollars more for Mr. Bush, are being tapped for jobs as ambassadors or as policy makers at sub-Cabinet levels.

In addition, what officials describe as a " 'must be placed' list" is circulating in the Administration, with the names of 50 major donors who want jobs for themselves or their relatives. Many are expected to be named to part-time posts on Presidential boards and commissions.

Presidents of both parties have long rewarded their political loyalists with plum appointments. Because of changes in the Federal campaign finance law, which were made after the Watergate scandal, people no longer can give directly to a Presidential candidate in the general election. But they can give to a political party.

"There is definitely a perception problem when ambassadors and other high people are large contributors," said David M. Dorsen, a lawyer here who was assistant chief counsel in charge of campaign finance for the Senate Watergate committee.

"TERRIBLE WAY TO DO BUSINESS"

Fred Wertheimer, president of Common Cause, a public affairs lobby group, said the appointment of fund-raisers was "a terrible way to do business," and he called on the Senate committees considering those appointments to "conduct rigorous inquiries about whether money played any role in the appointments."

But determining how much a donation played into an appointment would be a complicated, if not impossible, undertaking.

"What really matters to George Bush is not the number of zeros after a figure in a ledger book, but the loyalty and commitment shown by a person, be it as a fund-raiser or a doorbell ringer," said Charles G. Untermeyer, the White House personnel director.

Bruce S. Gelb conceded, though, that had he not helped raise $3 million for Mr. Bush's campaign last year, he might not have been nominated to head the United States Information Agency. "I may have been selected to be dog catcher," he said.

Beyond his fund-raising prowess, Mr. Gelb, who is leaving his job as vice chairman of Bristol-Myers Company in New York, contended that other factors helped

him win the prestigious post: his loyalty to Mr. Bush for decades and his business acumen.

LOYALTY TO BUSH

"If you look at 10 really outstanding people and they all have great track records and you find one that has been a longtime fund-raiser, that person clearly has a real advantage," he said. "But if the person cannot represent George Bush in the way he wants to be represented, the person could give all the money in the world and it would not happen."

In the campaign, only a small minority of donors were blatant enough to say they expected an Administration post, Bush aides said. "Some people at the very beginning said, "I'm involved in this because I want this,' " said a Republican official who asked not to be named. "The response back was, 'It's great to have you on board but there is no quid pro quo.' "

Many of the most diligent fund-raisers were friends who have known Mr. Bush for decades. Mr. Mosbacher, for instance, has known the President for 30 years. He, in turn, is doing his part to place his fund-raisers.

Mr. Mosbacher is expected to select Michael P. Galvin, a Chicago lawyer and a top Bush fund-raiser, to the highly sought post of Assistant Secretary for Exports. And officials said Mr. Mosbacher plans to pick Rockwell A. Schnabel, a major donor who is now Ambassador to Finland, to another sought after job: Under Secretary of Commerce for Trade and Tourism, a post that involves much travel and few difficult policy demands.

Another major fund-raiser, Frederick M. Bush, who is no relation to the President, worked for Mr. Bush for 10 years in many fund-raising capacities, most recently as deputy finance chairman. He has been named Ambassador to Luxembourg.

SOME OF THE APPOINTMENTS

Other $100,000 contributors and Bush fund-raisers who have been named to important posts include Walter J.P. Curley Jr., a former Ambassador to Ireland, as Ambassador to France; Joseph Zappala, a land developer from Tampa, Fla., as Ambassador to Spain; Melvin F. Sembler, another Florida developer who held that state's first fund-raising event for Mr. Bush, as Ambassador to Australia, and Henry E. Catto Jr., a longtime Republican contributor who has previously served in Government, as Ambassador to Britain.

Several other appointments of top contributors are in the works, including Joseph B. Gildenhorn, a Washington real estate executive who may be tapped for Ambassador to Switzerland, and Eric Javits, a New York lawyer and nephew of the late Senator Jacob Javits, who is a leading contender for Ambassador to Venezuela.

Some big donors were not interested in appointments, particularly those in business who could not disentangle themselves from their companies or were not willing to have their finances scrutinized.

Even so, as Mr. Mosbacher emphasized, there are more donors interested in jobs than there are jobs available.

In one case, Republican officials are working behind the scenes to try to find a post for Joy A. Silverman of Manhattan, a diligent fund-raiser who was said to be disappointed not to be named Ambassador to Luxembourg. "By all standards she deserves something," Mr. Mosbacher said. "She raised a lot of money, worked hard."

ADDITIONAL VIEWS OF SENATOR CHARLES S. ROBB

Prior to the vote in the Foreign Relations Committee, I met with Mr. Zappala and found him to have a number of talents and interests that would make him a strong candidate for a position in the Administration, particularly in the extremely important area of drug eradication, but not necessarily a logical candidate for Ambassador to Spain. His inability to speak Spanish, his general unfamiliarity with the country, and his diplomatic inexperience suggest that his other considerable talents may not be used to best advantage as Ambassador to Spain.

However, these shortcomings are not in and of themselves disqualifying. I have visited many ambassadors around the world, some of them had not had diplomatic backgrounds and have done well. Members of this committee have seen other inexperienced candidates go on to distinguish themselves in the diplomatic service.

In the case of ambassadorships I am inclined to give great deference to the judgment of the President, since an ambassador is not only the United States' representative, but also the personal representative of the President. And, ultimately, the President's accomplishments in foreign affairs will depend on the strength of these and other appointments.

The concern expressed by the distinguished senior Senator from Maryland about the shrinking percentage of career ambassadorships relative to political appointees is shared by many on the Foreign Relations Committee, including myself, and I hope that the Bush Administration will take heed of it and the impact that the appearance of declining opportunities must have on the morale of career Foreign Service Officers.

In a time of diminishing resources, I hope that we can seek to utilize those resources most effectively by appointing people to positions that take advantage of their existing skills and talents.

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